

AMENDED IN SENATE MAY 4, 2005
AMENDED IN SENATE APRIL 11, 2005

SENATE BILL

No. 1008

Introduced by Senator Florez

February 22, 2005

~~An act to amend Sections 46190 and 52522 of, and to add Sections 52522.1 and An act to add Section 52616.25 to;~~ the Education Code, relating to adult education.

LEGISLATIVE COUNSEL'S DIGEST

SB 1008, as amended, Florez. Adult education.

~~(1) Existing law authorizes the governing board of a high school district or unified school district to establish and maintain one or more adult schools by resolution of the governing board.~~

~~Existing law provides that a day of attendance in classes for adults is 180 minutes of attendance.~~

~~This bill would reduce the day of attendance to 165 minutes of attendance.~~

~~(2) Existing law specifies the classes and courses that are authorized to be offered by school districts and county superintendents of schools for apportionment purposes from the adult education fund.~~

~~This bill would authorize a school district to offer those adult education classes and courses through the use of distance learning technology that is to include the use of video and computer-based instruction. The bill would impose certain requirements relating to the use of distance learning.~~

~~(3) Existing law provides for the method of funding school districts that operate adult education programs and claim adult education state apportionments, based on the district's adult education average daily attendance.~~

This bill would authorize school districts offering adult education to claim those hours spent with students in providing counseling, guidance, testing, and assessment services towards their average daily attendance apportionments. The bill would limit those claims to a maximum of 5% of the district's total adult education entitlement.

~~(4) This bill would make conforming changes, delete obsolete language, and make other technical changes.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 46190 of the Education Code is~~
2 ~~amended to read:~~

3 ~~46190. In classes for adults, a day of attendance is 165~~
4 ~~minutes of attendance but no student shall be credited with more~~
5 ~~than 15 clock hours of attendance per school week,~~
6 ~~proportionately reduced for those school weeks having weekday~~
7 ~~holidays on which classes are not held unless he or she is~~
8 ~~enrolled in a class in elementary subjects, a class for which high~~
9 ~~school credit is given, a class in English for foreigners, a class in~~
10 ~~citizenship, or a class in a trade or industrial subject as trade or~~
11 ~~industrial subject is defined by the State Board of Education for~~
12 ~~grades 7 to 12, inclusive.~~

13 ~~SEC. 2. Section 52522 of the Education Code is amended to~~
14 ~~read:~~

15 ~~52522. (a) The superintendent may approve school district~~
16 ~~plans for adult education innovation and alternative instructional~~
17 ~~delivery. School districts making an application under this~~
18 ~~section shall demonstrate the manner in which the needs of adults~~
19 ~~will be addressed by programs, including, but not limited to:~~

20 ~~(1) Worksite adult basic education skills instruction.~~

21 ~~(2) Home-based and community-based independent study~~
22 ~~approaches using instructional technologies.~~

23 ~~(3) Tests of alternative reimbursement approaches other than~~
24 ~~average daily attendance to determine whether they are~~
25 ~~reasonable and feasible, to the extent that there is no decrease in~~
26 ~~the number of students served nor an increase in cost to the state.~~

27 ~~(b) School districts approved to implement demonstration~~
28 ~~programs under this section may expend up to 5 percent of their~~

~~adult education block entitlement for implementation of approved programs.~~

~~(c) School districts implementing programs under this section shall report expenditures to the superintendent in an annual fiscal report, as specified in regulations adopted by the superintendent. Funds reported under this section and approved by the superintendent shall continue to be allocated as part of the district's adult education block entitlement in subsequent fiscal years.~~

~~(d) The superintendent shall adopt rules and regulations for the administration of this section to include:~~

~~(1) Allowable expenditures.~~

~~(2) The range of expenditures per pupil enrolled in the program.~~

~~(3) Reporting requirements.~~

~~(4) Program evaluation.~~

~~SEC. 3. Section 52522.1 is added to the Education Code, to read:~~

~~52522.1. (a) Notwithstanding Section 41976, a school district may offer adult education courses and classes in the adult education programs described in Section 41976 through the use of distance learning technology that shall include the use of video and computer-based instruction including the Internet and compact video discs.~~

~~(b) Distance learning shall be characterized based on physical separation between the student and an appropriately credentialed supervising teacher.~~

~~(c) Each certificated teacher shall maintain ongoing communications with each student in the distance learning class and shall evaluate and document the mastery of each student at the conclusion of each educational unit.~~

~~(d) Each distance learning class offering shall include student examinations, required test integrity, and maintain clear records of student work.~~

~~(e) Distance learning class offerings shall be limited to adult students and shall not include concurrently enrolled high school pupils.~~

~~SEC. 4.~~

~~SECTION 1. Section 52616.25 is added to the Education Code, to read:~~

1 52616.25. A school district offering adult education shall be
2 authorized to claim those hours spent with students in providing
3 counseling, guidance, testing, and assessment services towards
4 their average daily attendance apportionments. Claiming those
5 hours shall be discretionary to the school district, and shall be
6 limited to a maximum of 5 percent of their total adult education
7 entitlement.

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